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PATENT
Attorney Docket No. 10676.0007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Donald GULLBERG) Group Art Unit: 1644
)
Patent No.: 7,485,429) Examiner: Haddad, Maher M.
)
Issued: February 3, 2009)
)
For: INTEGRIN HETERODIMER AND) Confirmation No.: 3147
AN ALPHA SUBUNIT THEREOF)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPLICATION FOR PATENT TERM ADJUSTMENT – POST GRANT

In accordance with 37 C.F.R. § 1.705(b), Applicant hereby applies for patent term adjustment under 35 U.S.C. § 154(b) of sixtyfour (64) days. This application is being filed within two months of issuance of the above patent, as required by 37 C.F.R. § 1.705(d).

I. Statement of the Facts Involved

A. Correct Patent Term Adjustment

According to information printed on the face of the above-identified issued patent, this patent is entitled to 27 days of patent term adjustment.

Applicant has calculated a patent term adjustment of 64 days based on the following facts:

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The Office granted 27 days of patent term adjustment based on examination delays under 37 C.F.R. § 1.702(a).

The Office did not grant any patent term adjustment under 37 C.F.R. § 1.702(b). In Applicant's calculation, the Office should grant thirtyseven (37) days of patent term adjustment under 37 C.F.R. § 1.702(b) based on the Office's failure to issue a patent within three years of the actual filing date of the application.

Relevant Dates

The 371(c) date is April 15, 2002.

A Notice of Appeal was filed on November 21, 2005.

The total time between these dates is 3 years, 7 months and 6 days.

The three year period from the 371(c) date ended on April 15, 2005.

Applicant requested a total of 6 months of examination delays between the 371(c) date and the filing of the Notice of Appeal. The date 6 months after the three year period is October 15, 2005.

The number of days from October 16, 2005, to November 21, 2005, is 37 days.

Thus, Applicant has calculated a patent term adjustment of 27 days under 37 C.F.R. § 1.702(a) and 37 days under 37 C.F.R. § 1.702(b), resulting in a patent term adjustment of 64 days total. Applicant respectfully requests that the current patent term adjustment be reconsidered.

B. Terminal Disclaimer

The above-identified application is not subject to a Terminal Disclaimer.

C. Reasonable Efforts

There were no circumstances constituting a failure to engage in reasonable

efforts to conclude processing of examination of the above-identified application, as set forth in 37 C.F.R. § 1.704.

II. Fee

As required by 37 C.F.R. § 1.705(b)(1), this application is accompanied by a check for \$200.00 to cover the required fee. Please charge any deficiencies to Deposit Account 06-0916. If there are any other fees due in connection with the filing of this request, please charge them to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 24, 2009

By: 

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